

V-43  
(2018)

AN FOR:  
**McCLAIN**

3800 SPENCER LANE, NE  
LAND LOT 341 & 380  
1015 DISTRICT, 2ND SECTION  
OF COBB COUNTY, GEORGIA  
PIN: 16034100310  
EXISTING ZONING: R-1000  
TOTAL AREA  
±0.65 ACRES

—BOUNDARY SURVEY BY FRONTLINE SURVEYING AND MAPPING  
—REF JOB # 45082

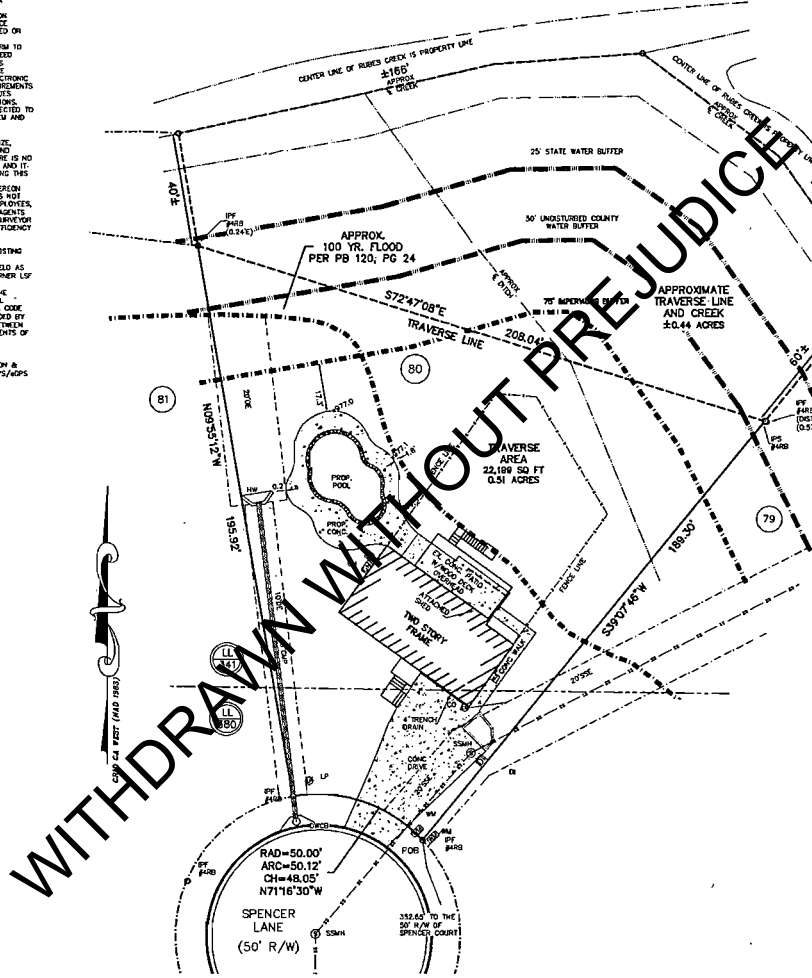
**LEGEND:**

SPS	IRON PIPE SET	OT	CONCRETE MONUMENT FOUND
OT	IRON PIPE FOUND	OT	CONCRETE UTILITY UNLOC
OT	ORION TOP PIN	OT	SANITARY SEWER MAN HOLE
OT	ORION TOP MARK	OT	SMOKE STACK
OT	REINFORCING BAR	OT	JUNCTION BOX
OT	CONCRETE	OT	HEAD WALL
OT	POINT-OF-WAY	OT	CONCRETE METAL PIPE
OT	LANE LED	OT	REINFORCED CONCRETE PIPE
OT	CONCRETE	OT	CORRUGATED PLASTIC PIPE
OT	POWER POLE	OT	REINFORCED CONCRETE PIPE
OT	LAMP POLE	OT	SANITARY SEWER EASEMENT
OT	SANITARY SEWER	OT	FOUL WATER
OT	FENCE CORNER	OT	WATER VALVE
OT	FENCE	OT	WATER METER
OT	ACCESS EASEMENT	OT	SANITARY SEWER CLEANOUT
OT	PERMITS	OT	POINT OF BEGINNING
OT	AD-CONCRETE	OT	SINGLE WING GATOR BASH
OT	WET TO SCALE	OT	UTILITY EASEMENT

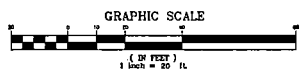
- SURVEY NOTES:**
- HORIZONTAL DATUM IS GEORGIA STATE PLANE WEST ZONE COORDINATE SYSTEM NORTH AMERICAN DATUM 1983 (NAD83)
  - VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83)
  - ALL DEED BOOK REFERENCES SHOWN HEREON ARE RECORDED IN THE CLERK OF SUPERIOR COURTS OFFICE OF COBB COUNTY, GEORGIA. SUBJECT AND ADJACENT PROPERTY OWNERS DEED REFERENCES ARE SHOWN HEREON FOR RECORD SOURCES AND APPLICABLE MUNICIPALITY ORDINANCES AND ARE NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS.
  - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT TITLE. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
  - STRUCTURES VISIBLE WITHIN THE SUBJECT PROPERTY BOUNDARIES ON THE DATE OF SURVEY ARE SHOWN HEREON.
  - LOCATIONS ARE ACCURATE ONLY WHERE DIMENSIONED.
  - DISTANCES SHOWN ON THE PLAN ARE HORIZONTAL GROUND DISTANCES.
  - THIS PROPERTY MAY CONTAIN WETLANDS. ALL WETLANDS ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS ARE SUBJECT TO PENALTY OF LAW FOR RESTRICTIONS TO THESE PROTECTED AREAS WITHOUT THE PROPER PERMIT APPLICATION AND APPROVAL.
  - THIS PROPERTY IS/IS NOT LOCATED IN SPECIAL FLOOD HAZARD AREA PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP NO. 130670001C, EFFECTIVE DATE: 12-15-2009.
  - THE CERTIFICATION AS SHOWN HEREON IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSION OF ANY WARRANTY OF GUARANTEE.
  - DEED/PLAT DISCLAIMER: THIS PLAN MAY NOT CONFORM TO THE DEEDS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEY TECHNOLOGY SUCH AS ELECTRONIC MEASURING DEVICES, MORE PRECISE ANGULAR MEASUREMENTS AND THE USE OF SATELLITE TECHNIQUES. THIS SURVEY USING "GPS" AND "GOLDMANT" SATELLITE CONSTELLATIONS. SURVEYING SATELLITE OBSERVATIONS ARE CORRECTED TO THE GEORGIA STATE PLANE COORDINATE SYSTEM AND USE "MAGNETIC" NORTH AS OPPOSED TO "TRUE" NORTH.
  - INFORMATION REGARDING THE ROUTES, DIRECTIONS, SIZES, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED THAT BY USING THIS INFORMATION, THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS CONTRACTOR, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY INDENTIFYLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
  - RIGHT-OF-WAY ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
  - ALL PROPERTY CORNERS FOR LOTS TO BE SET IN FIELD AS 1/2" (Ø) REBAR WITH PINK CAPS MARKED "PLS CORNER OF LOT" UNLESS OTHERWISE STATED.
  - THIS SURVEY COMPLETES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCSA) 15-1-41 AS AMENDED BY HB76 (2017), IN THAT WHERE A CONFLICT EXISTS BETWEEN THESE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.
  - BOUNDARY FIELD WORK PERFORMED 05-15-2011 BY FRONTLINE SURVEYING & MAPPING, INC.
  - EQUIPMENT USED: TOPCON ELECTRONIC TOTAL STATION & TRIMBLE 5600 GPS RECEIVER UTILIZING CHAMPION GPS/AGPS NETWORK.
  - ANGULAR ERROR: 3 SECONDS PER ANGLE.
  - RAW FIELD PROFILES: 1:5000.
  - ADJUSTED BY LEAST SQUARES.
  - PLAT CLOSURE: 1:168,643.27

—THE PURPOSE OF THIS PLAT IS TO APPLY FOR A VARIANCE FOR A POOL LOCATED AS SHOWN.

**RECEIVED**  
**APR 11 2018**  
COBCC COMM. DEV. AGENCY  
ZONING DIVISION



**FIRM**  
FLOOD INSURANCE RATE MAP  
COBB COUNTY, GEORGIA  
PANEL 61 OF 252  
ELECTRONIC TOTAL STATION & TRIMBLE 5600 GPS RECEIVER UTILIZING CHAMPION GPS/AGPS NETWORK  
MAP NUMBER: 130670001C  
MAP REVISED: DECEMBER 14, 2009



	<p>THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 168,643.27. MEET AN ANGULAR ERROR OF .021 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 168,643.27. AN ELECTRONIC TOTAL STATION AND A LOT CHAIN WERE USED TO GATHER THE FIELD DATA.</p>	<p>RESIDENTIAL VARIANCE PLAN FOR: <b>DAVID MCCLAIN</b></p>	<p>DATE: 05/06/11 SCALE: 1" = 20'</p>						
	<p>NO U.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY LISTED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECOGNITION BY THE SURVEYOR MAKING SAID PLAT. THESE TERMS OR ENTITIES, THESE DOCUMENTS AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF FRONTLINE SURVEYING &amp; MAPPING, INC. AND NO PART THEREOF SHALL BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2018 FRONTLINE SURVEYING AND MAPPING, INC. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.</p>	<p>3595 Canton Road Suite 116, PMB 272 Marietta, GA 30066 Ph. (678) 355-9905 Fax (678) 355-9805</p> <p><b>FRONTLINE SURVEYING &amp; MAPPING, INC.</b></p> <p>www.frontlinesurveying.com</p>	<p>LAND LOT 380/341 BLOCK UNIT 16TH DISTRICT 2ND SECTION CHURCHILL FALLS PHASE</p>	<p>COBB COUNTY, GEORGIA</p> <table border="1"> <tr> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	REVISION	BY	DATE		
REVISION	BY	DATE							

**APPLICANT:** David McClain

**PETITION No.:** V-43

**PHONE:** 440-821-7227

**DATE OF HEARING:** 06-13-2018

**REPRESENTATIVE:** Dave McClain

**PRESENT ZONING:** R-15

**PHONE:** 440-821-7227

**LAND LOT(S):** 340, 341, 380

**TITLEHOLDER:** David M. McClain and Joy L. McClain

**DISTRICT:** 16

**PROPERTY LOCATION:** At the northern terminus of Spencer Lane, north of Clementine Drive (3600 Spencer Lane).

**SIZE OF TRACT:** 0.95 acres

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** Allow pool, decking and associated equipment to the side of the house.

## Withdrawn Without Prejudice

**OPPOSITION:** No. OPPOSED        PETITION No.        SPOKESMAN       

### BOARD OF APPEALS DECISION

APPROVED        MOTION BY       

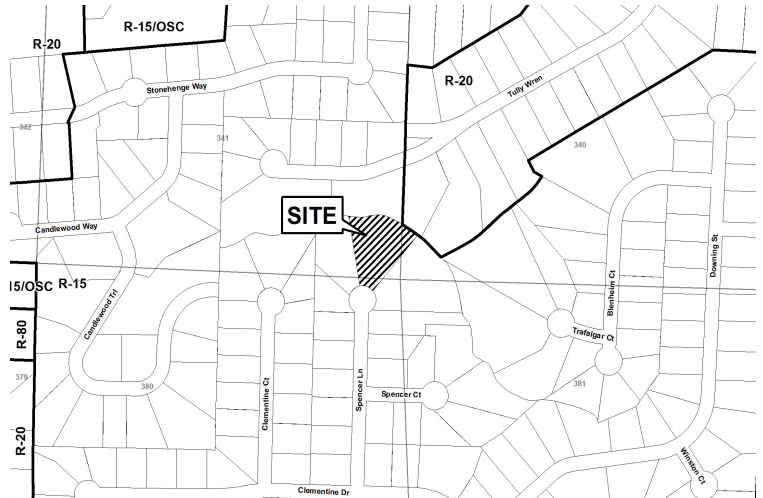
REJECTED        SECONDED       

HELD        CARRIED       

STIPULATIONS:       



# Application for Variance

## Cobb County

**RECEIVED**  
APR 11 2018  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

(Type or print clearly)

Application No. V-43  
Hearing Date: 6-13-18

Applicant DAVID McCLAIN Phone # (404) 821-7227 E-mail dmcclain23@yahoo.com

DAVE McClain Address 3000 Spencer Lane, Marietta, GA 30066  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # (404) 821-7227 E-mail dmcclain23@yahoo.com  
(representative's signature)

My commission expires: 02/20/2021

BLANCA A CARMICHAEL  
Notary Public - State of Georgia  
Cobb County  
My Commission Expires Feb 20, 2021

Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public

Titleholder DAVID McCLAIN / DAVE McCLAIN Phone # (404) 821-7227 E-mail dmcclain23@yahoo.com

Signature [Signature] Address: 3000 Spencer Lane, Marietta, GA 30066  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 02/20/2021

Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public

Present Zoning of Property \_\_\_\_\_

Location 3000 Spencer Lane, Marietta, GA 30066  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 380 District 16 Size of Tract \_\_\_\_\_ Acre(s)

Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO X

The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

REQUESTING TO PUT POOL : POOL EQUIPMENT ON SIDE YARD  
INSTEAD OF BEHIND HOUSE DUE TO BEING IN 100 YR FLOOD  
PLAIN.

List type of variance requested: PLACE POOL : POOL EQUIPMENT ON SIDE YARD